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Cabinet Council Minutes
1846-1847

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Minutes
Cabinet Council
1846 - 1847

Cabinet Council, 3rd March 1846.

Present - The Premier
Mr Judd
Mr Richards
Mr Ricord
Mr Wyllie

Comp
B.

House for Offices. Resolved - that Honolulu House be fitted up for 3 additional offices, so as to be available for the wants of Govt for the next 2 years, or till new offices be built. Mr Ricord and Mr Wyllie to be up-stairs, and the Premier, Mr Judd and Mr Richards to be below.

Berita via Premises. As the rent does not pay the interest of the money, the Lease not to be renewed, unless the Consul General wish to buy it or pay more rent. Mr Judd to write to him courteously.

Entertainment on the King's Birth-day. Ball or no Ball, at Mr Wyllie's.

Premier, - that the King would like to attend.

Mr Richards wishes that some other entertainment could be thought of. Mr Judd, ditto, - does not see how he could object. Mr Ricord, the same.

Finally agreed that the King's wishes be consulted.

If a Ball be given, no Wine nor Spirits to be allowed.

Cabinet Council, 20th March 1846

Present — The Premier
Mr Judd — Mr Ricord
Mr Richards — Mr Wyllie

Complaint of the Abbé Marechal of partiality, on the Island of Hawaii, and application of the complaints by the Revd Abbé Maigret, against the Abbé Castan David Manua, the Kahukula at Kapae,

The Cabinet having taken into consideration Mr Dudoit's letter of the 17th with

Hawaii, agree in recommending to His Highness the Premier in the progress of the King throughout that Island, soon intended, to make a careful investigation into the facts alleged, in presence of the Abbé Marechal, and to report the same to His Majesty with the view to the correction of all such abuses and their complete prevention in future

The following resolution was moved by Mr Ricord and unanimously passed, viz

"Resolved that the Minister of Foreign Relations inform the Abbé Maigret, through the Consul of France, that so soon as the new laws can be promulgated there will be a Minister of Public Instruction appointed, to carry out the law in regard to School and Church sites & lands, and that no partiality will be allowed by this Government against the Catholic Clergy or their Congregations

The request of the Revd Abbé Castan of 18th February, in regard to a location at Waimalu, will then belong to that Officer and will receive prompt

attention, - until then it is desirable for the sake of system, that action on the subject should be deferred. The Minister of Foreign Relations is requested to pass a copy of the new laws, upon Promulgation, to the Revd Abbé Maugret

March 20th 1846

At a meeting of the Cabinet, convened by order of His Highness the Premier, to consider a complaint of violence and indecorum of Consul General Miller at the Palace on the 17th inst

Present- the Premier
Mr Judd
Mr Richards
Mr Ricord

It was enquired why His Excellency the Minister of Foreign Relations had absented himself And resolution was taken to address him a Note of interrogation on the subject

(Copy) In Cabinet Council,
March 20th 1846

Sir,

The Cabinet Council having convened to consider a complaint of the Attorney General, against the Consul General of Great Britain, your absence has prevented our proceedings, and they request to be informed how soon you may be expected to attend

By order of the Premier
(Sigd) G P Judd

His Excy
R C Wyllie
Minister of Foreign Relations.

(Copy)

Foreign Office, 20th March 1846

Where a question touches the Consul General, so unfavorably, I think that in delicacy and propriety, as an old friend and former officer of his, I ought to be excused from attending.

R C Wyllie

To His Highness
The Premier

(Copy)

In Cabinet Council
March 20th 1846.

Sir,

Your colleagues of the Cabinet Council cannot accept your reasons as an excuse from concerting with them in regard to the complaints preferred against Consul General Miller, and they have adjourned their meeting until tomorrow 21st at 3 O'clock P.M. at the Palace, when they trust you will see proper to attend, notwithstanding your objections.

By order of the Premier
(Sig.) G. P. Judd.

His Excellency
R C Wyllie
Minister of Foreign Relations.

Palace, 21st March 1846

Cabinet Council held in presence of, and presided over by His Majesty

Present - The Premier

Mr Wyllie — Mr Judd

Mr Ricord — Mr Richards

Mr Ricord's Complaint v. Consul General Miller

A letter from Hon John Ricord to His Majesty, complaining of H. B. Mt Consul General, was read - also a statement of the case by Mr Ricord, sworn to before Judge Andrews. A statement of the circumstances by Lot Kaporawa, Alexander Liholiho and Wm P. Leleiohoku.

The Premier asked Mr Wyllie why he did not go and part the two Gentlemen? Mr Wyllie answered, - I did not endeavor to part them knowing that the General entertained the most unfounded suspicions of me, and that his feelings were hostile to me, consequently my interference would have done more harm than good.

He (the Premier) also asked Mr Wyllie why he did not attend the Cabinet Council yesterday? Because the General has the mania of blaming me for every thing that goes wrong with himself, - and I have no doubt he has written to the British Government that I prefer so much the interests of the King and His Ministers, that I am opposed to him and to British interests - all which is entirely false.

Complaint much unpaid

What particular suspicions do you

allude to? On his (the General's) return from Tahiti, to my amagement and disgust I found that he suspected me of having shown to Mr Judd, the proofs that he held of Charlton's title,- that I had communicated to him the confidential communications of the British Government, the General's own private instructions, the amount of his salary;- that I was more the friend of Mr Judd than of the General,- that I had endeavored to stir up the Government against him, and in fact that I had had a hand in the concoction of all the severe letters that he received from Mr Judd, especially about the deposit,- the "Euphemia", and the case of Charlton's land. All which Mr Wyllie most solemnly declares, in the presence of Mr Judd who knows the facts, to be cruelly and ungratefully false and calumnious.

The Premier then enquired of Mr Judd in relation to the above declaration of Mr Wyllie.

Mr Judd then in the most solemn manner declared, that Mr Wyllie while Pro=consul, never showed to him any of the proofs that he held of Mr Charlton's title,- that he never communicated to him the confidential com=munications of the British Government,- nor the General's own private instructions,- nor the amount of his salary,- that Mr Wyllie never saw any of his (Mr Judd's) letters to the General,

Mr Judd's solemn declaration in regard to Mr Wyllie's unmanly conduct towards Consul General.

or aided him in any way to the injury of the General. Mr Judd also declared his conviction that Mr Wyllie was a true friend of General Miller,- always laboring to sustain his positions and aid him in every honorable way. Mr Judd also stated his perfect conviction of Mr Wyllie's honorable character, and it was more than any thing Mr Wyllie's faithfulness to General Miller, and to his own Government which induced him to recommend to His Majesty the employment of Mr Wyllie in the Foreign Office.

Mr Wyllie then added,- for the reasons which I have stated, I did not wish to take any part in the discussions relating to the General, and measures that might be resolved upon.

Mr W. being further questioned as to what he knew of this rencounter, stated that he saw the General address Mr Ricord on his entering the audience room and thinks the General offered his hand and that Mr R. received it,- salutations were exchanged,- and from the manner of both parties Mr Wyllie was greatly surprised to hear from Governor Pitt that they were fighting.

Mr Wyllie's declaration of what passed at the Audience of 17 March

Mr Judd's Evidence

Mr Judd stated that he was sitting on the left of the Queen, where he could see across the hall into the ladies parlor,- and saw the General followed by Mr Ricord enter apparently alone,- that his impression was there

would be a dispute,- that the General passed out of sight, while Mr Ricord stood for a moment in full view,- he appeared to await the address of the General, and Mr Judd saw Mr Ricord's lips moving in reply, as he supposed, his face was at the moment lighted up with a smile, and then he passed out of sight.

Mr Young's Deto.

Mr Young stated that he passed through the house to the Verandah and found them standing, the General speaking in great agitation,- he interposed saying,- "No hard words, it is the King's Birth-day" Mr Ricord said, "I am much obliged to you, Genl Miller has drawn me into this". Mr Ricord then stepped back, and as General Miller- was following, Mr Young put out his hand to check him. The General, in great agitation, laid hold of Mr Young and said, "are you Pukoo? are you Pukoo? Pukoo- you are Mr Young I believe

Cabinet Council, 24th March 1846.

Present - the Premier
Mr Judd — Mr Richards
Mr Ricord — Mr Wyllie.

Project of New Treaty with France & Gt Britain

Read the notes interchanged between Mr Perrin and Mr Wyllie - also the project of a new Treaty which as read were carefully interpreted to the Premier, - and certain suggestions were made by Mr Wyllie, to meet objections.

No 1. Resolved, that copies of the Treaty proposed by Mr Perrin and of the suggestions made by Mr Wyllie, be made out for each member, to be considered separately till 9 A. M. to-morrow, and that this Council do adjourn until to-morrow, at that hour, to come to some definite resolution to be submitted to the King in Privy Council.

No 2. Resolved, that the King's Attorney General draw up a form of the special instructions and powers to be granted to Mr Wyllie, to be submitted to the Cabinet Council to-morrow, and if approved, to be reconsidered by the King in Privy Council, in connexion with the Treaty.

The Council took into consideration the application of Messrs S. N. Castle & E. O. Hall, Agents of the S. I. Mission, dated yesterday, to the following effect.

Copy

(Copy) Honolulu, March 23d 1846

To His Excy G P Judd
Minister of Finance &c &c

Sir,

Remission of Duties to Missionaries

We have been informed incidentally that the laws, which are being enacted by the Legislature now in session, provide for the remission of duties upon all goods and wares imported into this Kingdom, for the purpose of sustaining and carrying forward, Missionary and other benevolent operations in these Isles.

We beg that you will inform us whether our information is correct, and if so, whether we may expect the remission of the duties upon the shipment of goods, we are about receiving by the Ship "Charles" of Boston, for the purposes above named

Also upon other shipments which we may hereafter receive for like purposes.

An early reply to this communication will much oblige,

Very respectfully
Your Obt Servts.
S N Castle } Agents
E O Hall } P. I Mission

No 3 Resolved,- In consideration of the letter of Messrs. Castle and Hall, that we do not consider that the Minister of Finance is authorized to act on any laws not yet promulgated, but that we will

nevertheless recommend to the Legislature, at its first meeting, to remit all duties from this date on all articles imported by the American Missionaries, as prescribed in laws already enacted, but not promulgated

No 4 Resolved, - that if the Legislature adopt this recommendation, the benefit of it be extended to the Catholic Missionaries, from the same date, for goods introduced by them under similar circumstances, and that the Minister of Foreign Relations so notify to the Consul of France, for the information of the Revd. Abbé Maigret

Cabinet Council, March 30th 1846

Present - The Premier
Mr Judd Mr Wylie
Mr Richards Mr Ricord

Complaint of the Prefect of Police against Con sul General Muller

The Attorney General submitted a complaint of Arthur P Brickwood Esqr, Head of Police at Honolulu, accusing Wm Muller Esquire, H B M's Consul General, with abusive language used towards him in the street, and with an assault on the Consul General's part by raising his cane to Mr Brickwood in a menacing way. It was stated to the assembled Cabinet, that for a long time past, the Consul General has used every possible incivility towards the King's Officers, and that he was scarcely on speaking terms with any - Also that this is not the only attempt on his part to treat Mr Brickwood with indignity. Resolved - that immediately after the departure of Rear Admiral Hamelin, the Minister of Foreign Relations enquire diplomatically into the motives which led to the alleged outrage to Mr Brickwood, with the view to a further consideration of this subject, in Privy Council.

Cabinet Council, 31st March 1846.

Present — The Premier
Mr G. P. Judd Mr Richards
Mr Ricord Mr Wyllie.

Mr Cheever's Exequator — Unanimous opinion, that it would be disrespectful to Chile and dangerous to the King to grant an Exequatur to Mr Cheever. Mr Cheever's letter of the 30th and the copy of the Commission from the President of Chile was read, — Agreed, that the Commission be respected, but the person objected to, and a fit person recommended.

J. Reynold's Exequatur. — It being known that a Commission had been sent to him from Bremen as Consul, the propriety of granting him an Exequatur was considered. Mr Wyllie asked instructions thereon. — As strong objections were started, it was agreed that each member should address Mr Wyllie a note stating his objections, and that if Mr Wyllie can secure any satisfactory written pledges from Mr Reynolds, so as to meet objections, the Cabinet recommend the King to grant him an Exequatur, subject to immediate revocation, if Mr R. should break his pledge.

Cabinet Council at Atty General's
Chambers, 13th April 1846.

Present — The Premier
the Attorney General — Mr Judd
Mr Richards — Mr Hyllie.

The draft of an Oath of Office under the new laws was discussed and approved of.

Commissions for Ministers under the New Laws.

The new Commissions to Ministers, under those laws, were also discussed.

Mr Hyllie did not see the necessity of his having a new Commission at all, as he already held one dated 26th March 1845.

Mr Ricord thought that for the sake of uniformity it was advisable.

Mr Richards seemed inclined to wait for his Commission until he could enter upon the performance of his new Duties. But on a little conversation he acquiesced in the expediency of the appointment being made at present.

The Draft of an announcement to the Public was approved.

The new Commissions were not to be considered as public documents, nor made use of except as the King may command.

Adjourned to attend Privy Council at the Palace.

Palace, 16th April 1846
Cabinet Council, Presided over by the King.

Present – the Premier
Mr Judd Mr Richards
Mr Ricord Mr Wyllie.

Correspondence with Consul Genl Miller about Ricord

Read Consul General Miller's letters Nos 75 & 76 with their several enclosures excepting one in the latter marked for Mr Wyllie's private perusal.

Mr Wyllie remarked that he had always made it a point to reserve the Consul General's private communications, when he could distinguish them as such which was not always easy, as he de 'l in communications styled memorandums, "ap ites suellos," some written in the first person, so e in the third and some in both, some with a margin and some without it, some under official envelope and others not, some marked on H B. M's Service and others not, some dated and others not dated. But whenever a communication was marked Private, he invariably reserved it from every body.

Mr Ricord brought forward the copy of t sul General Miller's letter of the 28th March, ch on the same day Mr Wyllie had sent to n for the careful consideration of Mr Richards & of Mr Judd in connection with Mr Ricord. Mr Ricord stated that the letter and spirit of that letter went to extinguish Monarchy in these Islands. Mr Richards added

not only Monarchy but civil Government.

It was remarked that, by the course pursued by the Consul General, no Officer of the Government was safe from his attacks, while he claimed a perfect immunity from all responsibility.

After his violent conduct at the trial of Charlton, the funeral of Naaleleo, the examination of the Young Chiefs, to several Ladies, and in the Palace on the 17th March, it would not be proper for the King to trust to his command of temper, in any private explanation he might render.

It was considered apparent from the Consul General's letter of the 24th March and memorandum of 11th inst, that he presumed to know the particulars of Mr Ricord's Memorial without knowing one word of its contents, thus prejudging the whole case in his own favor.

After a good deal of discussion the following Resolutions were passed:

1. That we consider the sentiments expressed in the various documents laid before us from Consul General Miller, as directly at variance viz: the sentiments uniformly expressed by the Earl of Aberdeen, to His Majesty's Commissioners in London, as well as in his Lordship's communications since received through other sources

2. That we consider the sentiments he has expressed in several of his communications,

particularly in the one dated 26th Jany and the one dated 28th March, as directly opposed to and subversive of the independence of the King of the Hawaiian Islands

3. That the hostile views of Consul General Miller to several of the Officers of the Government as expressed on the 9th of August, and in his recent treatment of the Attorney General, both personally and in his written communications, render it exceedingly embarrassing to transact business with him, in a manner honorable to either Government.

4 That the Minister of Foreign Relations be directed to communicate to H. B. M's Government a true and sufficient account of Consul General Miller's course for the purpose of ascertaining how far he represents their views and policy towards this Government, and how far the course pursued by him, in regard to British subjects employed by the King, accords with the influence and interests of Great Britain in these Islands.

5 That inasmuch as Consul General Miller considers all attempts to obtain from him a satisfactory explanation of his treatment of Mr Ricord in the Palace as derogatory to his dignity, and as he declines to give any explanation except verbally to His Majesty in person, and that too without a formal investigation, therefore, the Minister of Foreign Relations be directed to forward a copy of Mr Ricord's Memorial,

to the British Government, through Mr Barclay.

6 That the Minister of Foreign Relations be directed to notify Consul General Miller that all matters connected with his personal conduct towards this Government or its Officers, are ordered by His Majesty to be referred to H. B. M's Government, and are to be considered as so referred, henceforth, without any further discussion, until after the British Government have expressed their views thereon.

Strange to 2d

Mr Ricord stated that as the Consul General had alluded to his letter of the 4th Feby, as an improper communication, he insisted that it formed part of the Documents to be referred to H. B. M's Government, and that he meant to publish it

Mr Wyllie enquired if he was not to send to the Consul General a Copy of Mr Ricord's Memorial. On this point the preceding resolutions Nos. 5 & 6. were pronounced to be the rule that Mr Wyllie was to follow.

Distrust of Consul General Miller

From the distrust entertained of Consul General Miller's communications and his reluctance to forward any thing from this Government, it was considered dangerous to send the communications through him.

Mr Wyllie was to follow the rule of the questions proposed to be put to the Consul General, in his communication to the British

Government, illustrating on what portion of his doings and sayings each question was grounded

A copy of these questions, of the Consul General's letter of the 28th of March, of Mr Ricord's of the 4th Feby, and of all others necessary to place the matters at issue fully before the British Government, were to be sent

Duties on Mat. Liquor

It was resolved that Mr Hyslop should reply to the Consul General's letter No 76, to the effect that when cases occurred, the question of Duty should be tried in the Court, and if the parties were dissatisfied they could give bonds and refer to the British Government

Cabinet Council at the Foreign Office
28th April 1846

Present — The Premier
Mr Judd Mr Richards
Mr Ricord Mr Wylie

Question of convocation of the Legislative Council

The Premier said that His Majesty wished advice respecting the meeting of the new Legislature

Agreed to recommend to the King to adjourn the Legislature until time be given for the Ministers to prepare their Reports

King's visit to Hawaii

The Premier also intimated the King's wish to make a tour on the Island of Hawaii It was considered proper that his departure should be announced to take place about a fortnight hence on the 12th of May on account of the expected arrival of the new American Commissioner

It was considered that unless His Majesty start on the 12th of May, he cannot make the tour at all, in time to be back for the meeting of the Supreme Court, in June

Complaint of the Abbé Marchal

It was considered highly desirable that His Majesty should enquire into the complaints of the Abbé Marechal.

Mr Judd said that, on another matter, which was the purchase of the Kamehameha III, he had something to say, which was, that he found he could pay for her without encroaching upon the ordinary funds of the Government, and therefore that he was prepared to undertake the responsibility of her purchase

It was remarked that agreeably with a former decision, it would be well to take the opinion of the Privy Council.

The meeting then adjourned.

Cabinet Council at the Foreign Office
May 1st 1846

Present — The Premier
Mr Judd — Mr Richards
Mr Ricord — Mr Wyllie

Caveat in the matter of Charlton's Land

The Premier laid before the Cabinet his note of 1st May 1846 to the Attorney General, De Fennes' letter of 30th April & copy of the Consul General's note to De Fennes of the 29th requiring the caveat to be withdrawn, also Mr Ricord's reply, on behalf of Victoria Kamamalu, of this date, showing why it could not be withdrawn

The Cabinet decline to entertain the question, & adhere to the Government Notice of 17 Nov 1845

Mr Wyllie referring to his Counter-notice of the 17th Nov, published in the Polynesian of the 22nd, by the King's authority, and to the King's reference of the question to the British Government wholly objected to any thing that could be understood as that the King had any thing to do with that caveat, or meant in any way to recede from the ground that he had taken which was to abide the issue of the final reference of that Government. All the members of the Cabinet were of this opinion

Mr Ricord declares that he was to do;

Mr Ricord remarked that he would consult with and take the orders of his Clients as to what he had an important duty to do to

that he acts his clients, as private individuals, and it was by no
as a private means his wish to commit the Government in any
Lawyer for way.
his clients. It was replied that the Cabinet only meant
to preserve the consistency & good faith of the King, but
The Cabinet that in doing so, they did not mean to restrict in
explained that any arbitrary way, the private right of Mr Records
they did not Clients, to adopt on their own account and under
mean to oppose their own responsibility, what measures they
his private cli= might think necessary, to regain possession of
ents, in the their property.
exercise of their The meeting then adjourned
private rights.

Cabinet Council, Foreign Office,
13th June 1846

Present — The Premier
Mr Judd — Mr Richards — Mr Record — Mr Wyllie.

New Claim of N. B. Ms. Consul Genl for Charlton.

Mr Wyllie after preliminary remarks, on the King's former instructions, and the difficulty of His position in consequence of the clashing of His duties, under the latest Decision of London, and the claims of the Guardians of young Victoria to have her title properly examined, proceeded to read the following documents, viz; Mr Wyllie's letter No 39 to Consul Genl Miller, Consul Genl Miller's No 84 and two notes of same date, not private; Mr Wyllie's suggestions, and note of the 8th June; Mr Wyllie's note to Messrs Starkey Janson & Co of 9th June; Mr Janson's reply of 10th June; Mr Wyllie's No 40 & note of 9th June to Consul Genl Miller; Copy of Mr de Fiennes' Report to Consul Genl Miller of 23rd May; Consul Genl Miller's note, not numbered, of 10th June; Mr Wyllie's No 42 to Consul Genl Miller of 13th June and enclosures; Consul Genl Miller's memorandum of 13th June.

These documents were explained to the Premier by Mr Richards.

Mr Wyllie's attempt to conciliate Consul General Miller, was highly approved of, but it was considered that the Consul General sought to avoid conciliation, and to make every thing

appear against the Government.

The suggestion of unofficial notes, was considered on his part a captious one, as it would not prevent him from transmitting copies to the British Government, which Mr Wyllie would not know how to deal with them.

It was agreed that this and other pending questions should be referred to the King in Privy Council on Monday (the 15th).

W. Van Lyck & Commodore Stockton.

Some discussion took place on the subject of the suggestions through Mr Armstrong and Mr Castle in a conciliatory sense.

The Council adjourned.

Cabinet Council at the Palace
17th June 1846.

Commodore Stockton's Suggestion.

Present, The Premier, Mr Judd,
Mr Richards, Mr Ricord & Mr Wyllie.

Mr Wyllie explained the particulars of what had taken place between him and the Commodore, at the informal conference this day.

After some discussion, the Commodore's suggestions, out of respect to him personally & to the U. States were approved of.

It was agreed to refer the question to the King in Privy Council.

Cabinet Council, Foreign Office
23rd June 1846.

Present — The Premier
Mr Judd — Mr Richards
Mr Wyllie — Mr Ricord

Appointment of Judge of Foreign Causes.

Resolved to recommend the appointment of Judge Andrews and of Mr Hopkins, under the new laws.

Orders in Council.

A desultory discussion took place on several. They were amended in part, and in some respects left for the consideration of the King in Privy Council.

Salaries of Ministers.

Mr Wyllie suggested that for the present this question be left to the King in consultation with the native Chiefs, remarking that when he took office on the 26th of March 1845, he had no stipulation whatever in regard to salary, believing that if the King found his services of any value, he would take his own way of recompensing them, and if he found them to be worth nothing, Mr Wyllie would make no complaint though he received nothing. One thing he begged, which was, that nothing about salaries should appear in print, as the world would judge of the importance of the Ministerial Offices from the salaries the Ministers received, and his own friends in London would condemn him for staying in the Islands, for any salary the King can afford to pay.

Mr Wyllie thought that the course for the King would be, to order a Report upon the

and expenditures of his Exchequer before His Majesty could say, what salaries he could pay to his officers.

Mr Ricord seconded the suggestion expressing a determination to yield to no one in disinterestedness, offering even to serve for nothing, if it should be so determined.

Mr Wyllie remarked that he knew and gave him full credit for his disinterestedness, but that though Mr Wyllie wished this question to be referred to the King in Council he was far from thinking that they would act wisely not to pay their officers as handsomely as they could. Experience, all the world over, had proved that bad paid servants were never good servants, and though the King's present Ministers were enthusiasts for the King and Country, yet their successors might not be so, and adequate salaries ought to be provided, according as the Exchequer would allow.

Mr Wyllie suggested that in regard to the Orders in Council, the King should take the initiative, and that every thing should be done pursuant to his orders in the exact terms of the new law – also that the seals of Office should be <u>described</u> & not <u>measured</u>.

The meeting adjourned at 2 P.M.

Cabinet Council
Foreign Office July 1. 1846

Present. The Premier. Mr Richards
Mr. Judd " Ricord
" Wyllie

Revenue — Income estimated at $75,947, 8 cents

Disbursements Salaries &c — Appropriations for different Departments of the Government considered & discussed. But as Mr Richards and Mr. Ricord had to attend the Land Commission, the Council was adjourned, to a future period of which Notice to be given.

Adjourned Council at 1/4 past 12.

Appropriations — Appropriations considered in all $88,170.

Mr. Ricord mentioned that Mr Beaumont had agreed to his statement of matters to be arbitrated, provided they could agree upon the Arbitrators and provided Admiral Seymour, Commodore Stockton or Commodore Biddle, according to whomsoever might arrive first, should be the Umpire.

The Members of the Cabinet concurred in objecting to Mr. Marshall as a Party interested, and to Mr. Sanion, from the peculiar circumstances in which he has placed himself in regard to the Government, but they have the fullest confidence in Mr. Turrill - also in Mr. Williams, and in Commodore Stockton as Umpire; all parties being highly honorable fellow-Countrymen of the Partners of Messrs Ladd & Co;

but they insisted that on matters of fact alleged by the latter, in relation to Europe: the Government shall have a right to the testimony there before a final decision by the Arbitrators, and they recommend Mr Ricord to endeavour to obtain the consent of Mr. Turrill to act in this matter.

Cabinet Council at Attorney General's Chambers 1st July 1846 at 12 o'Clock

Present – Premier, Mr Richards, Mr. Judd, " Wyllie, " Ricord

Negotiations with Ladd & Co. Belgian Contract

Read the project of Arbitration proposed to Mr Brimsmade by Mr. Ricord.

Mr Ricord explained what had passed between him and Mr. Brimsmade, and that Mr B. seemed to wish for Mr. Ten Eyck as Arbitrator, to which Mr. Ricord objected on the ground that he was a Diplomatic Man, unless Mr. Wyllie should be the other arbitrator.

Mr Ricord, read the Counter project proposed on behalf of Messrs Ladd & Co by Mr. Brimsmade.

It was unanimously objected to, as captious, abusive & unfair, being more in the character of a Protest than of a Statement,

of matters to be submitted to Arbitrators.

Mr Ricord then read and explained a new statement, framed on Mr Brimsmade's, which he had prepared. It was amended in some respects after being read a second time.

Mr Wyllie moved and Mr Richards seconded that the Draft as prepared by Mr Ricord and amended be approved, and that Mr Ricord endeavour to obtain Mr Brimsmade's conformity. Mr Richards explained the Resolution to the Premier.

The Resolution was unanimously adopted.

Meeting adjourned till to-morrow.

Cabinet Council 2nd July 1846

Present The Premier – Mr Richards
" Mr Judd ..... " Wyllie
" Ricord

Mr G. Abell Esquire and his valedictory letter.

Mr Wyllie read the draft of a letter prepared in reply to Mr Abell's of yesterday; his note to Mr Ricord and Mr Ricord's reply of this date, were also read. Mr Wyllie's draft was approved of on the distinct understanding conveyed in Mr Ricord's reply, upon which the feeling was so strong that a determination was expressed to oppose any public appointment

that Mr. Abell might receive.

Negotiations with the Partners of Ladd & Co

Mr Ricord stated the particulars of an interview between him and Mr. Ten Eyck & read proposals for arbitration prepared by him, which were considered and amended.

Confidence in Mr Jarrell

After a long discussion it was agreed that if Mr. Jarrell would consent to be the Arbitrator for the Government, the Partners of Ladd & Co should appoint any Arbitrator they choose, but that Commodore Stockton is to be the Umpire with all powers of every kind to act as such, & that Mr. Ten Eyck and Mr. Phillie are to join in an invitation, inviting him to come here for that purpose.

If the case should not be ready for him to act upon, on his arrival, it was agreed that it should be transmitted to him, wherever he might be.

Mr. Ricord was requested to wait upon Mr. Jarrell and obtain his promise to act as Arbitrator for the Government — thereafter to explain to Mr Williams —

Cabinet Council at Mr Ricord's Chambers at 3 P.M. July 6th 1846

Present. The Premier — Mr Richards
Mr Judd " Wyllie
" Ricord

Appointment of Mr Abell as Consular Agent at Lahaina

Mr Wyllie explained on the subject of Mr Abell's appointment as American Consular Agent to Lahaina.

Mr Wyllie strongly urged that the King should be advised to approve of the appointment made by Mr Turrill, out of respect to Mr Turrill and to Mr Clavedge of Lima, who had recommended Mr Abell to Mr Wyllie.

Mr Ricord stated that he never would consent, because Mr Abell was not a man with whom he could communicate officially, at Lahaina, as would be his duty. That his letter of the 2nd July was to be understood as waiving the prosecution of Mr Abell merely on the condition that he was to cease holding any official appointment — that Mr Abell was a violater of the laws of the land — had grossly insulted the Judge of Oahu &c.

Mr Judd would willingly forgive Mr Abell for all the past, but he cannot consent to the appointment of Mr Abell, from his propensity to misapprehend facts, misstate them, and to take up every little thing in a way

embroil the Government.

Mr. Richards considers that he has shewn himself badly qualified for the discharge of the duties of an official position.

The Premier does not think it proper that the King should approve of the appointment

It was enquired if they would not waive the scruples under a possible engagement that Mr. Turrill might make to become surety for Mr. Abell's good conduct and to remove him on the first complaint.

The general feeling was that such a proposal could not be made to Mr. Turrill and that he would not be likely to make it.

Agreed to lay the question before the King, whereupon the Council adjourned to the Palace.

Cabinet Council at the Foreign Office July 16th 1846 at 1/4 to 12

Present. The Premier Mr Richards
Mr. Judd " Wylie
" Ricord

Subject, The Arrangements for the opening of the Legislature

1st. That the Legislative Council be opened by the King in person on Friday the 31st of July at 12 O'Clock Noon — the Day to be considered

throughout the Islands a Holiday and a Royal Salute to be fired, on His Majesty's arrival, and exactly at Noon, from all Forts in the Islands.

2nd. That the Legislative Council meet during that and the succeeding public days, in a Booth to be erected for the purpose within the enclosure of the Palace — and that the erection as to details be left to the Premier & Mr. Judd, under His Majesty's pleasure.

3rd. That Dr. Rooke be empowered to act as Master of Ceremonies on the occasion to advise with Mr Wyllie respecting the seats to be provided for the Court, the Foreign Representatives & Ladies.

4th. That for the time being, and until His Majesty otherwise dispose, a Star on the left Breast be considered the only necessary Badge of Ministerial rank on great Public occasions — that on other occasions of less importance, it be not considered imperative to wear that Badge or to be otherwise in uniformity — that Mr Richards & Mr Ricord dress on all Public occasions, altogether, in black, and Mr. Judd & Mr. Wyllie, in Coats not necessarily of that Color, but of a dark Color with Trousers, Vests & Cravats to be white or black; white

Kid Gloves, Silk Stockings and Dress Shoes or dress Boots as may suit the occasion. Hats for all to be common black Hats.

5th That the Premier and Mr Richards be the Parties to take the Kings pleasure in regard to His Royal State in the Procession and in the Throne, and thereafter communicate the necessary orders to Dr Rooke.

6th That the Minister of the Interior invite all officers connected with his Department, the Minister of Finance all Employes under him, the Attorney General all the Judges &c, the Minister of Public Instruction all the Missionaries & Teachers and the Minister of Foreign Relations the Foreign Representatives & Chief Foreign Residents.

7th That all these Parties communicate with Dr Rooke that he may arrange the proper seats

8th Form of Notice for the Polynesian and other papers agreed upon, to be submitted to His Majesty and thereafter forwarded by Mr Judd to the respective Printing Offices.

Cabinet Council 21st July 1846
Present. Premier — Mr Richards
" Mr Judd " Wyllie
" " Ricord

Captain Fisher & Newell Petition for Denization 20th July 1846

Applying for a letter of Denization in the intention of returning to the Islands with a vessel to be navigated under the Hawaiian Flag.

Resolved that the Attorney General be authorized to communicate to Cap: Newell that the Cabinet are prepared to recommend to His Majesty to grant him a letter of Denization, agreeably to the Laws.

Mr Ricord mentioned that Mr Williams had been fined $100 for declining to act as Referee on the nomination of Judge Andrews on the pending question, between Skinner & Co and the Estate of Mess.rs French & Greenway.

Cabinet Council called by Mr Young at the Premier's Office 25th July 1846
Present — Premier — Mr Richards
Mr Judd " Wyllie
" Ricord

Governor's wish to lease lands on Maui to a South American

Subject. Letter of Mr Kekuanaoa, wishing to lease Kahakuloa on Maui, for $300 per annum to Walker. It is a large track, Kalo is cultivated in the vicinity not great quantity, but a considerable number.

of people live on it.

Mr Wyllie gave an opinion that it ought to be leased, if grazing land, as grazing lands are fit for nothing else.

Mr Young said Cane will grow all over the whole, wind strong and might injure the cane — harbour distant.

Discussion of right to Lease — Resolved that the Cabinet Council are of opinion that we are not competent to interfere with M. Re: but, that he leases at his peril, but that he ought to receive advice from the King's Attorney General, as to the requirements of the Law.

Cabinet Council at the Foreign Office 3rd August 1846.

Present — Mr Judd, Mr Richards, Mr Ricord, Mr Wyllie.

Application of Messrs Rhodes &c. to erect a slip for drawing up vessels.

Their letter of 30th April was read and the principle approved of. Agreed that they be invited to state what encouragement they require, and the locality that would suit them, and that Mr Ricord should make this intimation.

Meeting adjourned.

Cabinet Council at the Foreign Office 4th August 1846.

Present The Premier

Mr Judd Mr Wyllie

Mr Richards Mr Ricord.

Application for Land by Mr Brown. Price.

Question, what are the terms to be demanded for the land? A plot of the land was presented containing 483 3/4 acres at Waialua, Kauai.

Mr Judd said that $3 per acre for 439 upland and $5 for the 44 low land is the lowest that can be taken - or that a Lease should be given at 50 cents per acre all round.

Mr Wyllie strongly advocated the general principle that every possible encouragement be held out to first settlers, in which Mr Ricord and Mr Richards concurred.

Mr Judd proposed and Mr Wyllie seconded, that Mr Richards be requested to continue his negotiations with Mr Brown - so as to find out what Mr Brown will give, and to suggest his making a written offer according to the 2nd Section of Article 2nd Chapter 7th Part 1st of the New Laws.

John Lucas' Application for a Building Lot.

All concurred that the land should be granted to Lucas on the most liberal terms.

Selling of Vessels.

Mr Judd stated that he was negotiating for the sale of one of the vessels belonging to Government.

Cabinet Council — 5th August — 74½

Present — Premier — Robinson
Hon Richards — Mylius.

Rent of land to Mr Brown.

Mr Richards read Mr Brown's letter of the 5th to the Premier, offering $5 per acre, payable at 6 mos from date of lease for bottom land, free of all incumbrances, and 25 cents p. acre for the upland on a lease of 99 years, with the privilege of making it a fee simple title at any period on payment of $2. per acre, the rent of this land not to commence before three years.

Agreed that Mr Brown's proposal be recommended to the King in Privy Council, so far as regards the offer for bottom land, but that for the upland the lease be as follows.

For 99 years at 25 cents yearly rent per acre, rent not to commence till the expiry of 3 years from date of lease. At the 3 years from date of lease, in place of a yearly rent of 25 cents per acre, to have the option of buying the land on payment of $2 per acre — or at the end of 5 years from date of lease on payment of $2.50 per acre — at the end of 7 years on payment of $3 per acre — at the end of 10 years on payment of $3.50 — at the end of 12 years on payment of $4 — or at the end of 15 years on payment of $5, and after that period

to have the right of pre-emption only?

(Assumed to lay the above
before the Privy Council)

Cabinet Council at the
Foreign Office, 10th August 1846

Present The Premier
Mr Judd Mr Richards
Mr Ricord Mr Wyllie

ations
ith
Britain

Mr Wyllie explained the main ~~objects~~ results of the interview that he had had this morning with Consul General Miller, and that he had repeatedly offered to submit all matters of grievance relating to the Government (subject to the approval of his Colleagues) and all Mr Wyllie's private matters, to the British Admiral, offering individually to make an apology for himself, that the British Admiral might say was necessary, provided the thing was to be reciprocal, and that the General was similarly to apologize for what the Admiral might pronounce wrong on the part of the Consul General towards Mr Wyllie, after hearing both sides fully.

Mr Wyllie read the Extracts which he had penned in Consul General Miller's presence, and laid before them the two requests made by the Consul General.

After a deal of discussion the following Resolutions were agreed upon, as what the Cabinet would recommend the King to sanction, provided Mr Ricord as Counsel for the Native Claimants, would undertake to consent on their behalf, and save the Government from any demands from them on the ground

you to give
the Consul to all
pressed to
Mr Wyllie to
Admiral

of prejudice to their interests. Mr Ricord engaged to preserve the dignity of the Government and the rights of the Claimants to the land, in any interview he might have with Sir George Seymour.

Resolved. That Mr Wyllie be authorized to inform H. B. Mr Consul General that Mr Ricord will withdraw the two Caveats, as requested by that Officer, provided after an interview with Rear Admiral Sir Geo: F. Seymour, and Mr Ricord on behalf of the private claimants to the land, it shall appear to Sir George Seymour that they can be withdrawn in justice to private parties — but this is to be understood as a matter of respect and not as any admission whatever to the prejudice of Victoria's title to the land, as the British Government may hereafter view it, under the references made.

Resolved. - That Mr Wyllie be authorized to inform H. B. Mr Consul General that Mr Ruddack will be put in possession of the land claimed, provided after an interview between Sir Geo: F. Seymour, and Mr Wyllie it shall appear to Sir Geo: Seymour that it can be so done according to the laws of the Kingdom and in justice to Pakii, a high Chief, who denies all Ruddack's allegations.

Resolved

Resolved - That these foregoing resolutions are sanctioned by the King in Council, and Mr. Wyllie is further instructed to acquaint H. B. M's Consul General that His Majesty has always confided in Br. is. justice and places great reliance upon the renewed assurance of the Earl of Aberdeen by letter to the Consul General of 31st Jany 1846, that the British Government mean scrupulously to adhere to their engagement to respect the independence of the Sandwich Islands and of their Sovereign, and to render both to him and his country every good service in their power, and His Majesty hopes, that H. B. M's Consul General and the British Admiral will only in the matters insisted upon, act up to that spirit and oblige His Majesty by bringing immediately before his Tribunals all those cases in which the rights and privileges of H. B. M's subjects are alleged to have been violated, to enquire into all which charges, past and present the British Government have already been invited to send out Commissioners, and for the present, the King would consider that as the greatest service that can be rendered to his country.

Cabinet Council at the
Foreign Office, 10th Augt 1846

Present - The Premier
Mr Richards Mr Ricord & Mr Wyllie.

Ladd & Co's claims on the Govt.

Mr Ricord read the claims of Ladd & Co as sent in to him

1st Valuation or price of properties and privileges from the 1st of Jany 1842, Based on 2 certain Contracts, - the first in Belgium dated 17th May 1843, the second dated Lahaina 22nd Novr 1841. That the S I Govt had infringed those contracts and rendered their execution impossible - amt $200,000

Mr Ricord's answer, - Valuation and debt are denied by the S.I Govt. Deny the Belgian contract - deny the powers of Mr Richards, - deny the Contract of Lahaina 22nd Novr 1841.

2nd Ladd & Co. claim Damages for Lucrative situations which they were to have had under that Contract.

Amount $75,000 00

3d They claim Damages for the sales of their properties

Amount $32,000 00

4th They claim damages for Attachments. $ 8,000 "

5th They claim damages for non-fulfilment of Contract with Kaikeoewa at Kauai . $2000 00

6th They claim damages for non-fulfilment by the King, of 50 acres Cane to be cultivated near the Sugar Mill at Koloa . $20,000

7th They claim damages for the Canal at Lahaina . $ 1,000 00

8th They claim damages for their character aspersed by the Government $ 50,000

making in all $ 378,000.00

Mr. Wyllie remarked that this was the most trumped up and base imposition he ever heard of, and that upon better grounds, he might claim $100,000 — damages done to his character in London by Hooper's Protest of 9th Augt. 1845, and Ladd & Co's Advertisement of the 29th.

Agreed that Mr. Judd and Mr. Richards who know all the particulars of past transactions should submit them to Mr. Ricord to enable him to complete his case, with a view to the right understanding of the matters disputed — to consider what claims this Government had upon Ladd & Co; and the injuries and losses they had inflicted upon the Government.

Mr. Wyllie suggested that the Balance in a/c for Loans made &c should be so stated as that they should not take up their technical ground that in the Arbitration proposed, those claims had been waived.

Mr. Ricord stated it was clearly understood that they were excepted and read part of the Arbitration Bond to prove it. Mr. Wyllie remarked, that is all very well, but he had always found difficulties arise from such understandings; and in dealing with such captious, technical Gentlemen it was well to have every thing expressed.

Cabinet Council 20th August 1846.

Consul Genl's demands on the King - Caveats and Ruddack.

Present - The Premier
Mr Judd Mr Richards
Mr Ricord Mr Wyllie.

These demands having been talked over by the King and Chiefs and their views made known, a long discussion took place thereon, during which Mr Ricord having made known his views as Law Adviser of the Crown, he requested to be exonerated from attending the Privy Council ordered by His Majesty, for tomorrow at 10 A. M. his duties in the matter of the arbitration of Messrs Ladd & Co. requiring his presence elsewhere.

The Council adjourned at 5, P. M.

Cabinet Council,
26th August 1846.

Present. Mr Judd Mr Richards
Mr Ricord Mr Wyllie.

Question, a change of the Compact, relating to Stenographising the proceedings.

"And it is also further mutually &c ending Stenographised <u>before said Arbitrators</u>", and "if the said J. H. Williams &c ending Stenographised by order of said Arbitrators".

Whether the King will allow them to abrogate so much of the Compact as renders Stenography necessary.

Question

Question. May Mr. Ricord be allowed to enter into any Stipulation with Brinsmade, Ladd and Hooper in view of the Compact entered into 13th July 1846, by which a Stenographer may be dispensed with where one is required by the terms of that Compact.

As Mr. Hopkins will soon be well, - as the case is one of great importance, and as it neither can nor ought to be unnecessarily precipitated -

Resolved, that in the opinion of the Cabinet a Stipulation in the Compact so clear and express cannot be dispensed with without establishing a principle of change dangerous to the Compact itself, but that the question be referred to the King in Council, for his decision.

This Resolution was passed unanimously and the Council adjourned.

Cabinet Council, at the Foreign Office,
September 5th 1846.

Present – Mr Judd Mr Richards
Mr Ricord Mr Wyllie

Mr Metcalf's letter to the Premier.

Mr Richards read Mr Metcalf's letter to the Premier proposing to act as Surveyor for Government, under an appointment as such.

Mr Richards thought that he would expect something like $600 a year, besides certain expenses to be paid, and that the Government could not at present afford that expense, from any business that was likely to be done.

Mr Wyllie suggested that Mr Metcalf should be invited to send in a letter with his lowest terms, before any thing further should be done in the matter.

Mr Jarves' Application for better accommodation for the Press.

Mr Jarves' application of 26th August 1846 – was read by Mr Richards. Mr Judd complained that under the new laws, his hands were tied and now nothing could be done. Then a conversation was opened upon the system of the Books and Mr Robertson was called in, to explain.

Mr Reynolds' offer of his Premises.

Mr Reynolds' offer of all his premises for $40,500. – was considered as decidedly too high but it was agreed to lay it before the Privy Council, at a meeting to be convened for that purpose.

Cabinet Council, at the For: Office,
September 23rd 1846.

Present— Mr. Judd Mr. Richards
Mr. Ricord Mr. Wyllie

Subject,- the overtures for a Treaty with the U. States.

Mr. Van Eyck's letter to Mr. Wyllie of the 21st, with the copy of his powers from the President of the U. States having been read and considered, it was resolved, as follows, viz;

1st to recommend to the King to grant precisely similar powers, and with a like proviso for the King's ratification to Mr. Wyllie, and to John Ii on His Majesty's behalf.

2nd That this and every thing further in this matter is to be considered by the King in Privy Council.

Cabinet Council, at the For: Office
October 12th 1846.

Present Mr. Judd Mr. Richards
Mr. Ricord Mr. Wyllie

Captain Steen Bille's Instructions from the King of Denmark.

Mr. Wyllie read Captain Bille's letter of the 12th inst, with extracts from his instructions, relating to the object of his voyage, the appointment of a Danish Consul, making a Treaty &c.

It was agreed to take the pleasure of the King on these matters, and that Mr. Judd should do so, and ascertain whom His Majesty wished to empower to meet Captain Bille.

Cabinet Council at the F. Office
October 15th 1846.

Complaint of Capt. Blake against the Police, and Correspondence thereon.

Present - Messrs Judd, Richards
Wyllie, Ricord (came in late)

Mr Wyllie read in connection Captain Blake's letters of the 29th and 30th September, Mr Wyllie's 2 Notes to Capt. Blake of the 30th and his note of same date to Judge Andrews - Captain Blake's notes, one of 1st and 2 of 8th October, Mr Wyllie's replies, two of 5th, 2 of 6th, and one of 7th October, Captain Blake's letters of 9th and 2 of 12th October and Mr Wyllie's notes of 9th, 10th, 12th & 13th October.

After the subject matter of the above correspondence had been discussed, the following Resolutions were passed.

1st That having reconsidered the above correspondence, it be considered as at an end, so far as the King's Government are concerned, Captain Blake having acquiesced in the decision of the Judge reprimanding Mr Brickwood, after Mr Wyllie had volunteered to receive and give course to his objections thereto, if he chose to make them.

2nd That the Cabinet view with regret the charges brought against Mr Ricord and Judge Andrews, by Captain Blake, notwithstanding his optional conformity with the result of the Investigation instituted at his request, but that, as the case now stands, it would be unbecoming

to make any official reply to such charges, though it is not denied that the parties so personally attacked, have a right to vindicate themselves if they choose to exercise it

5° That it is known from the experience of many years, that no disorders would occur with the crews of Ships of War; were their Commanders to take pains on their arrival to make the laws of the Port known to their men, recommend their strict observance to parties obtaining leave to go on shore, and punish the individuals who may violate those laws.

It was agreed that Mr. Hyllie should send a copy of these resolutions to Capt. Blake.

1846.

Cabinet Council
2nd November 1846.

Present Mr Judd Mr Richards
Mr Ricord Mr Wyllie.

Bonding of Goods under the 8th Article of the Treaty with Denmark.

Mr Judd explained the difficulties that he and the Collector General found in carrying it out in detail, after the limit of 4 months and other rules that they had established, with previous Importers under the British and French Treaties of 26th March.

Mr Ricord's opinion to Mr Wyllie of the 31st October was read and its meaning discussed with reference to the 8th Article.

Mr Wyllie contended that it could only be understood one way, and that was that the period for bonding was unlimited, and therefore any practice opposed to that, ought to cease, a Treaty being paramount to all law.

Mr Judd said, if he had known that that was the meaning of the 8th Article, he never would have consented to it.

Mr Wyllie remarked, the objection ought to have been stated when the Draft of the Treaty was submitted to him (Mr Judd) which was done twice, or when it was submitted to the King in Privy Council — That he Mr Wyllie had no idea whatever, that heretofore a limit of 4 months had

been fixed and of course could not insist upon what he did not know. But even if he had known it, he did not see one advantage arising from that restriction, while he could imagine many disadvantages and that for his part, his feeling would be to sweep off every restriction on commerce, that annoyed Merchants without benefitting either the revenue, or the cause of Temperance.

Mr. Judd said he would be glad to find that the thing worked well, but he foresaw many difficulties.

It was agreed that the Bond should be altered and that Mr. Paty should have authority to carry out the details.

1845.

Cabinet Council.

11th November.

Present Mr Judd | Mr. Richards.
Mr. Ricord. | Mr. Wyllie.

Comp B

Compromise with Ladd & Co.

Mr. Ricord explained the efforts made by Mr. Williams, & his views, which were

Government to assume 60 per cent of the debts due by Ladd & Co, & pay in Bonds falling due in 10 years, bearing interest, at the rate of 4 per cent.

After some discussion, Mr. Wyllie read 4 modes of compromise that he thought it would be advisable to consent to, rather than go on with the suit.

They were as follows:

1. On a complete cession to the Government of all the properties contemplated in May 1845, and a guaranteed abandonment of all contracts and engagements and claims by Ladd & Co.

The Government to assume the whole Debts of the Firm, as they stood when the Firm suspended payments — Provided all the Creditors will agree to release Messrs Ladd & Co, in consideration of Bonds to be issued by the Government, payable on the 1st of Jan.y 1857, without interest.

2. The Government to assume 50 per cent of the whole liabilities, on the same conditions specified above, provided the Creditors will agree to release Messrs Ladd & Co, in consideration of

Bonds to be issued by the Government payable on the 1st of Jan 8. 1859, & bearing 4 per Cent interest from the 1st Jan 8. 1849.

3. To assume 50 per Cent paying in Bonds falling due 1st Jan 8 1853, and bearing 4 per Cent interest, from 1st Jan 7. 1847.

4. Final to close with Mr Williams' proposals as submitted by Mr. Ricord.

After further discussion, Mr. Judd stated objections, & the meeting adjourned till tomorrow at 9 A. M. to give to Mr. Judd time to mature his views upon the subject.

Adjourned Meeting 12th November 1846 same parties present.

Mr. Judd's view was the following.

Ladd & Co to abandon their suit as untenable - to declare themselves bankrupt - Place all their contracts, books of Pr. notes, & properties in the hands of the Court, with a request for the winding up of the Estate. Mortgage creditors to throw up their mortgages and place themselves on an equal footing with the other creditors.

Then Government will give up Koloa Plantation, deducting the proceeds of this year, if any, from the $3500 paid for it, give up also their mortgage on the stone & come up as a common creditor.

Estate to be wound up without charge, and creditors paid off to the full amount realized.

Ladd & Co. to be discharged from their debts by vote of all their creditors on the above conditions.

The above was generally approved of, provided it were found practicable from the unreasonableness of the Parties.

Mr. Ricord read his proposal to Mr. Finlayck, which amounted to the same offer which was rejected.

It was unanimously resolved that Mr. Indd's suggestion should be again proposed, as a first measure that the King's Government would approve of.

Mr. Wylie then suggested that it should be considered, what should be the second mode of compromise in case the first should be rejected.

On a question put by Mr. Richards, Mr. Indd expressed his opinion that if the first made should be rejected, it would be preferable to go on with the Arbitration.

Mr. Richards remarked that in his view it would be better to make a sacrifice of even $25.000, than incur the odium of going on with the arbitration.

Mr. Wylie asked Mr. Indd to state what he considered to be the intrinsic values of all Ladd & Co. Properties – that is the properties that were contemplated to be reverted to them – and

made over to the Government unincumbered. If free of all Mortgages & incumbrances, Mr. Judd thought that the values would be as follows, viz.

Koloa Estate &c on Kauai ———	$20.000
Honolulu Store, Oahu ———	" 20.000
Lease of the 2 Wharves	" 1.000
Mr. Ladd's house	" 2.000
	$43.000

Mr. Wyllie remarked that if such were their present values, & if they could be conveyed securely to the Government, so great would be the augmentation of their value, unless the Govt. adopted a retrograde policy, in ten years, that between that increase and the yearly rents, it would be not only safe to adopt even the least favorable of the modes of compromise proposed, but in his opinion the Government would gain largely by it.

After some further discussion, Mr. Judd agreed that the following proposal should be adopted, if the first should be rejected, viz:- The Government to assume 50 per Cent of all approved claims on Messrs. Ladd & Co. - payment to be made in deferred Bonds, in ten years, and in the meanwhile no interest to be allowed.

This was unanimously approved of, and that Mr. Ricord should agreeably thereto conduct his conference with Mr.

Prinsmade, but without binding the Government to any thing definite.

As Mr Judd remarked that he might possibly change his opinion after considering the details of what Mr Williams proposed, it was suggested that he should solicit a conference with him.

Mr Wyllie begged it to be understood that, in a compromise he had no private interest or feeling to serve, but under his responsibility to the King, he felt it strongly, that it would be the greatest disgrace of his life, were he to concur in the prosecution of a suit that might by possibility greatly prejudice not only the King's pocket, but his reputation, after having on the table, & the option of adopting a mode of compromise, matured between Mr Ricord and Mr Ten Eyck, whereby the King's safety, in both respects would be certainly secured, even though there should be some little trouble in carrying out details.

In so saying Mr Wyllie remarked, I do not wish to be understood as having a less decided opinion than Mr Judd, that all Judd & Co's claims were unjust, and their charges against the Government untenable, but even the most just cause might, by a possible error in judgment in the mind of the Umpire, miscarry, and in duty to the King, he felt

it his duty to guard His Majesty from that possibility, by not rejecting a proffered measure of safety, in the expectation even of a probable better.

1846.

Cabinet Council.

20th November.

at Attorney General's Chambers.

Present - Mr Judd - Mr Richards
Mr Ricord - Mr Wylie

Compromise with Ladd & Co.

Mr Ricord stated that the overture now submitted was brought about by Mr Williams after considering Mr Ricord's note of 19th Novr.

Mr Ricord then read a memorandum sent to him this morning by Mr Van Eyck, through Mr Williams.

Mr Williams Propts & approves of.

The verbiage of the latter document was found fault with. It was agreed that Mr Ricord should alter the wording.

Resolved, that Mr Ricord be authorized to state that the Government engage to sanction & carry out the details of the Compromise presented through Mr Williams, after Mr Ricord and Mr Van Eyck shall have improved the wording so as to make the meaning of all the details sufficiently clear, on condition that a Schedule of all the creditors of Messrs Ladd & Co., with their names, and amounts due to each, to be sworn to by them, and certified by Mr Van Eyck, be appended to the Deed of Compromise.

This resolution was passed unanimously, & it was agreed that Mr Ricord should make use of it, with Mr Williams, to remove all doubts about the willingness of the Government

to accede to such a compromise, enabling it to make some provision for the creditors of Ladd & Co, without any eventual loss to the King's Treasury, but without giving one farthing to Ladd & Co for themselves.

Copies of the overture & memorandum above referred to, are here added that no question may hereafter arise in regard to the motives of the Government in yielding to the compromise to effect which Mr. Williams so honorably & laudably labours.

(Copy of Mr. Ricord's note to Mr. Williams - 19th Nov. /46.)

Stephen H. Williams Esquire

My dear Sir,

I understand your project for terminating the controversy between Ladd & Co & the Hawaiian Government, now in arbitration, to be as follows,

You proposed that Ladd & Co should obtain the consent of their mortgage and other creditors to abandon forty cents in the dollar of their entire claims - abandon & discharge their Mortgages & other securities by written exonerators, and acquit Ladd & Co of their debts:- provided the Hawaiian Government will undertake to pay said Creditors the reduced amount due to each, at the expiration of ten years from the date of the assumption, with

interest at the rate of four per Centum per annum.

In the event of such an arrangement between Ladd & Co, their Creditors, and the Government, you recommended that Ladd & Co withdraw their claims vs: Government, from before the Arbitrators, and declare the Compact, 13 July 1846, annulled, and the arbitration under it dissolved.

I understand that in order to consummate such an arrangement, Ladd & Co are to render me a sworn exhibit of their respective debts at this date, certified to be true by the American Commissioner, under the seal of his Legation - that they are to deliver, me, in writing, signed by their creditors, respectively, an agreement to receive the sum of Sixty Cents in the dollar, in full satisfaction of all claims on Ladd & Co., at the expiration of ten years with four per cent. interest, - that they are to make a formal release to the Hawaiian Government of all claims and demands which they now set up against it - that they are to make and execute in due form a complete revocation of the Belgian Contract, and a formal release of the Contract of Lease, 24 November 1841 - that they are to convey absolutely to the Hawaiian Government, all the Real property belonging to or owned by the late firm of Ladd & Co, or either of its members on these Islands, including the share or interest of Messrs Carey & Co. of New York in the sugar estate of Koloa, and including also all the fixtures, utensils

and appurtenances belonging to any such Real property, whether actually of a fixed nature or moveable, but useful in conducting any business to which such Real property may have been devoted by Ladd & Co. – that all the instruments necessary to effectuate the transfers, releases, Revocations, discharges, and accompts are to be drawn up by me, (except those between Ladd & Co and their creditors) and submitted for correction to Mr. Ten Eyck the American Commissioner, before execution.

Resigns. submission upon to Your Majesty in Council & offers to resign his Commission

In case such a proposal is presented to me by Ladd & Co, I pledge myself to submit it to the King & Chiefs in Privy Council for their approval, and to obtain their approval of it, or to surrender my Commission to act as Attorney General as far as regards any further appearance under the Compact 13 July 1846 which may after that be conducted through any other Agent the King may please to employ.

Although such a proposal was made to me by Mr Brinsmade, on the 12th, and recalled again by him on the 13th inst, I am willing to consider it as still open to consideration of Government upon the terms above stated

Honolulu 19th Nov. 1846.

(signed) John Ricord.

Copy of the written overture, by Mr Sew Eyok, sent by Mr Williams to Mr. Ricord.

Memorandum of an agreement made and entered into this day of November A. D. 1846, between the King and Government of the Hawaiian Islands, by John Ricord Attorney General, of the one part, & William Ladd, William Hooper, & Peter A. Brinsmade, constituting the late firm of Ladd & Co., Witnesseth, That the said Ladd Hooper & Brinsmade, for & in consideration of the promises & agreements hereinafter mentioned, to be done & performed by said King & Government, hereby covenant & agree that they will within thirty days from the date hereof, procure a discharge & satisfaction of all mortgage securities or other pledges given by them or either of them now existing upon the Koloa sugar plantation so called, upon the Island of Kauai, upon the real estate & premises in the village of Honolulu, lately occupied by them as their Mercantile & Business establishment, (except the Mortgage thereon to said Government,) & upon the real estate & premises now occupied by said William Ladd as a residence in said Honolulu, (except the mortgages or pledges on any of said real or personal estate to said Government,) that they will execute a quit claim deed of all their right title & interest in & to said real & personal estate to said Government, that the said William Hooper, as Attorney to William A. Carey, shall

and will execute a quit claim deed of all the right title and interest of said Carey in and to said Koloa Plantation, that they will execute a release or proper assignment to said Government of all contracts or leases now existing between themselves & said Government, that they will execute a proper release to said Government, of all claims and demands they now set up against said Government, & that they will execute in triplicate a complete revocation of the Belgian Contract so called.

In consideration of which said agreements and promises to be done & performed by said Ladd Hooper & Brunsmade within the said thirty days from this date, the said King & Government hereby covenant and agree, that they will, within sixty days from this date, deliver to said Ladd, Harper & Brunsmade, or their Authorized Attorney, the bonds of said Government, payable to bearer, with interest at the rate of four per centum per annum, payable annually, in sums not exceeding one hundred dollars each, to the amount of sixty cents on the dollar of all the debts of said late Firm of Ladd & Co., provided said debts in the aggregate do not exceed the sum of One Hundred and Seventy thousand dollars, and further that the said King & Government will, within said sixty days, release & discharge in proper form, all claims & demands of every nature they may have against said Ladd Hooper & Brunsmade or either of them.

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1846.
Cabinet Council,
21st November.

Present – Mr. Judd – Mr. Richards
Mr. Ricord – Mr. Wyllie.

Compromise with Ladd & Co.

Mr. Ricord stated that the Memorandum read yesterday had been incorrectly copied by Mr. Jasper, the amount being $170.000 in place of $120.000.

Mr. Ricord read a Memorandum of compromise drawn up by him since yesterday. It was read over several times and amended.

It was resolved that Mr. Ricord should have authority to submit the Memorandum, as amended, with the Resolution passed yesterday, notwithstanding the increase in the amount of fifty thousand dollars – that is from $120.000 to $170.000, endeavouring to restrict Ladd & Co to the maximum of $160.000, and taking every care that including the whole of their indebtedness to the Government, the Bonds to be issued shall not exceed the true amount of Ladd & Co's debts, as per schedule with names, amounts, distinguishing Principal and interest due to each creditor, to be presented & sworn to by Ladd & Co, before the Commissioner of the United States.

Mr. Ricord was also instructed to take care that all the properties lately belonging to Ladd & Co should be disencumbered by them, and truly and validly, without the exception of anything whatever, made over to the Government, so as to

secure them from any eventual loss by the redemption of the Bonds to be issued.

Mr Richards's view

Mr. Richards contended against any thing in the Compromise that might be construed into an admission that the Government owed anything to Messrs Ladd & Co, or that the Belgian Contract was not void on the face of it, without any revocation on their part.

Mr Ricord's view

Mr. Ricord replied that in the compromise attempted, every thing was in honor & good faith, & that being an attempt at compromise, no stipulation could be made use of as an admission by either party, to his prejudice.

The meeting adjourned to meet again when Mr Ricord might find it necessary in furtherance of the Compromise.

1846.
Cabinet Council.
25th November.

Present Mr Judd — Mr Richards
Mr Ricord — Mr Wylie.

Government laborers employed on the land claimed by Mr Charlton.

Mr Ricord brought before the Cabinet, that he had just discovered, that Govt. laborers were working under a white flag for Mr Lanion, on the land claimed by Mr Charlton, in erecting buildings.

Mr Ricord's view of the danger of authorizing such employment under the law of succession

Mr Ricord remarked that the assistance of these Laborers might be pleaded in argument against the Government in claiming the whole of the Buildings erected upon the Land, if the British Government should reverse their decision, upon the same principle, upon which, in a similar case the Government, in 1844, had engaged that any Buildings erected by them, before the question were finally decided, should belong to Mr Charlton, if the land were declared to be his by right.

View of the Cabinet

It was contended that the employment of those men for hire, not known to, permitted, or authorised by the Government could not rightfully justify any such plea, but that the Headman of such laborers should be admonished to do no more labour on that land, but strictly to fulfil any labour that he may have already engaged to perform.

1846.
Cabinet Council.
November 30th.

Present - Mr. Richards - Mr. Ricord & Mr. Wyllie.

Appointment of a Co-ordinate Judge to act with Judge Andrews.

Mr. Ricord stated that his view was that the appointment should be until the passing of an Act to regulate or organize the Judiciary. He read what the new Laws required upon the subject, and recommended that Mr. Lee be appointed independent and unlimited, but Co-ordinately with Judge Andrews to act singly or jointly, as may be necessary.

Mr. Lee asks $2500 per annum, and Mr. Ricord recommends that it be given.

Mr. Ricord states that Mr. Lee is strictly a moral man.

Cabinet Consents

Mr. Richards stated his approval, and wished that his appointment be laid before the Privy Council; & Mr. Wyllie assented thereto.

Mr. Wyllie asked if it would be understood that Mr. Lee should give his legal opinion upon any case, where the Government might require it, in a manner not contrary to his duty as an independent judge.

The meeting adjourned, that the subject may be laid before the King in Council.

1846
Cabinet Council.
2nd December at 2. O. - 9 A. M.

Present The Premier
Mr. Judd - Mr Richards
Mr. Rhodes - Mr. Wylie

Conference with Mr. Marshall on the subject of his Exequatur.

Mr. Wylie read the seven points that he had conferred upon yesterday with Mr. Marshall, & stated his reasons for being fully satisfied with Mr Marshall, as Consul for Peru, would act fully up to the understanding come to.

In this belief all present concurred but it was agreed to lay the whole before the King, in Council, for his further orders.

Meeting adjourned to again assemble in the Palace, at 10 A. M.

Cabinet Council at the Foreign Office
December 14th at 9 A.M.

Present Mr. Judd, Mr. Record, & Mr. Wyllie.

Subject – Capt. Blake's letter of 9th Decr. on behalf of James M'Kean.

Mr. Wyllie read Capt. Blake's letter of the 9th December, and its enclosure, also Mr. Wyllie's reply of the 10th December.

It was agreed that they be laid before the King in Privy Council.

Capt Blake's letter of 5th Decr.

Mr. Wyllie read Capt. Blake's letter of 5th December, on the subject of the publication of the late inquiry at the Palace, and Mr. Wyllie's reply of the 7th Decr.

It was agreed that they also be laid before the King.

Cabinet Council. Monday. 4th January.

Present - Mr. Judd.
Wylie
Ricord.

Mr. Dudoit's proposals in the matter of Ladd & Co.

Mr. Ricord mentioned that he was about to submit to the King, in Council, the proposals received from Mr. Dudoit, as Mediator on the part of Messrs Ladd & Co.—

It was considered unnecessary to enter into details, before their submission to the King in Privy Council.—

Comp. P.K.B.

Cabinet Council at 3 P.M.
13th Jan 9.
Present – Mr Reid – Mr Judd – Mr Wylie

Subject Mr Den Eyck's letter of 13th January explaining Mr Judd's view

Mr Wylie read Mr Den Eyck's letter of this date, explaining reasons why in his opinion it should be received as satisfactory, so far as to remove the only bar to the King's hearing the proposals made through Mr Dudoit

Mr Judd felt himself deeply offended by Mr Den Eyck's attempt to exculpate himself upon the words afterwards used by Dr Wood, & upon that Gentleman's swearing to testimony misrepresenting both his words and his intention at the time towards Ladd & Co. He also wholly disbelieves that Mr Dudoit could have told Mr Den Eyck, that the words interpreted to the King meant that His Majesty had stolen or robbed the property of Ladd & Co, as Mr Dudoit was not present when he (Mr Judd) interpreted the words to the King, and he had not so interpreted them.

Mr Wylie said he fully admitted that he had not so interpreted them, but if he had, he would have given them the sense in which, from the whole speech of Mr Den Eyck on the 12th, he (Mr Wylie) was sorry to understand them, & having referred, this day, to Walker's Dictionary, he found that among the meanings of the verb to

strip, was to rob, to plunder, & to pillage.

Nevertheless, he thought it expedient to confine the meaning of the words to Mr. Van Cyck's own interpretation of them, so as not to mar a great work of peace.

Mr Ricord view

Mr. Ricord said that even allowing to the words that meaning, Mr. Van Cyck was altogether irregular in so speaking of the Courts, identifying them with the Government, until after an appeal had been made to the Supreme Court.

After some further discussion it was admitted that the question was one mainly of the King's Prerogative, and therefore to be disposed of by His Majesty in Council.

Cabinet Council. Jany. 18th. F. Office at 3 P.M.

Present. Mr. Pacord. Mr. Judd. Mr. Wylie

Mr. Wylie's unofficial letter to Mr. Van Eyck.

Mr. Wylie read his unofficial letter prepared as ordered by the Resolution passed at the P. Council of yesterday, & his No. 20 of this date to Mr. Van Eyck.

Mr. Wylie stated that having been ordered to make known to Mr. Van Eyck exactly the views of the King and Council. he had endeavoured to do so, so wording his letter that if Mr. Van Eyck should take offence, the chief blame might appear to be Mr Wylie's.

He was most anxious to avoid giving any offence to Mr. Van Eyck of whose honorable intentions, in the very peculiar position in which he stood, he had the same confidence he had always possessed.

The Council adjourned at 4 P.M.

1847.

Cabinet Council - 28th Jan 8. at 3 P.M. attorney General's Chambers.

Present The Premier

Mr Richards - Mr Judd.
Mr Record -- Mr Wyllie.

Negotiations with Dudoit on behalf of Messrs Ladd & Co

Mr. Record read Mr. Dudoit's letter on the behalf of Ladd & Co. of the 27th January, and afterwards the resolutions ~~by~~ prepared by Mr. Record.

Mr. Wyllie proposed that both documents be given in to Mr. Judd, to take them home with him, and present his idea in writing ~~tomorrow~~, Mr. Judd being the only Minister who had been on the spot and understood the details.

Mr. Judd to report his views to the Cabinet tomorrow at 9 A.M., & what the Cabinet may agree to, to be laid before the Kings in Council, at any hour His Majesty may appoint tomorrow.

This was agreed to, and the meeting adjourned till tomorrow at 9 A.M.

1847.

Adjourned Cabinet Council - 29th January

Present Mr. Judd - Mr. Ricord
" Richards - " Wyllie.

Mr. Judd's views of the proposals of the Consul of France in favor of Messrs. Lada & Co.

Mr. Judd read his ideas, after having referred to existing leases of contiguous places, and reflected upon the whole circumstances of the case

Mr. Judd's views were generally approved of.

Mr. Wyllie moved that Mr. Ricord adopt Mr. Judd's views as the basis of his negotiations with Mr. Dudoit, reporting progress to the King in Council before concluding finally any arrangement, and that care be taken that the negotiations be continued through the medium of the Consul of France.

This was approved of.

It was not thought necessary to trouble the King and Council, until something definitive can be laid before them.

The meeting adjourned.

Cabinet Council at the F. O. 1 March

Present Mr. Richards — Judd — Wyllie.

Opening of the Legislature.

Mr. Wyllie represented the anxiety of Mr. Ricord to be able to present his final report, as early as possible.

Statistics of the Islands

Mr. Richards represented the necessity of having in replies relating to the Statistics of the Islands, and it was agreed to submit for the approval of the King, the 21st of April, as the day for the opening of the Legislature.

Celebration of the Kings Birth-day. 17 March.

Mr. Judd stated that the King wished to pass the 17th of March (his birth-day) at Maui.

Mr. Wyllie was requested to send a Notice to the Polynesians, regarding this, and the opening of the Legislature, to appear on next Saturday.

1847.

Cabinet Council at his Chambers.
17 March – at 10 A. M.

Present Mr. Richards – Mr Wylie
– Ricord – – Judd came in p. par 16.

Relief of the Creditors of Messrs Ladd & Co.

Mr. Ricord read Mr. Dudoit's letter to him of 13th March, handing certain proposals on behalf of the Creditors of Ladd & Co.

He then read the proposals signed by J. F. B. Marshall, Wm Paty & R. W. Wood.

He then read his reply to Mr. Dudoit, and the conditions suggested as final on the behalf of the Government, with 2 alternatives.

Mr Wylie opposes the letter prepared for Mr Dudoit

Mr. Wylie suggested that before making any official reply to the Conditions, Mr. Ricord should request Dudoit, through the Committee to obtain the signatures of Creditors to the Conditions: and that the course should be, that if the Creditors will not agree among themselves to this or some other plan moderate and reasonable, to be proposed by themselves, that the Arbitration go on. Mr. Wylie stated his belief that the communication of Mr. Ricord was premature, & would give great and unnecessary offence.

Mr Wylie moves that the papers be referred to Mr Judd

This not being concurred in, Mr. Wylie suggested that as Mr. Judd had only heard part of the reply, and as many of the details were better known to Mr. Judd than to any one else, that the papers should be passed to him for consideration.

This was agreed to and the Council adjourned till tomorrow at 9 A. M. at Honolulu.

Adjourned Meeting of Cabinet Council at the F. O. 18th March 1847 at 9 A. M.
Present Mr. Richards Mr. Ricord
" Judd — — Wyllie.

Mr Judd present his written remarks

Mr. Judd produced Mr. Ricords papers which had been committed to him yesterday, with written remarks upon them, applicable to Mr. Ricords' preliminary observations, and his two alternatives.

Mr Wyllie repeats his objections & expresses them

Mr. Wyllie repeated his former objections to the preliminary observations, and objected to the principle of the Government making any specific offer to parties to whom they owed nothing, though he approved of the Government receiving and dealing liberally with any propositions which those parties might make, in the spirit of the Resolutions of the Privy Council.

Hence arose a debate upon the expediency of the preliminary observations, and a statement by Mr. Ricord, that they might be sent in as his, and the alternatives as offered by the Government.

After some discussion the following resolutions were agreed to unanimously, viz: —

1. That in the opinion of the Cabinet it is neither consistent with the dignity of the Government, nor the relative position of the parties, nor is it safe that the Government should make any proposals whatever to the Creditors of Ladd & Co, until after they shall have, in good faith, abandoned the pending suit for $387.000.-

2. Resolved that Dr. Ladd, at his discretion, may privately, and under honor, explain to Mr. Van Eyck, the absolute necessity of this precaution, & state that the moment the suit is withdrawn, the Government will no longer feel debarred from making a specific offer, out of pure beneficence, to the Creditors of Messrs Ladd & Co.

Cabinet Council at the F.O. 19 March
— at 9 A.M. —

Present — Mr. Indd & Ricord & Wyllie

Account of Mr. Indd's Conference with Mr. Ibn Cyek.

Mr. Indd gave an account of an interview which he had with Mr. Ibn Cyek Ricord last evening, stating that so far it had been most satisfactory, and though it had not ended in a positive result, yet he entertained good hopes, and was to have another meeting.

At this stage the Council was interrupted by Dudoit & Mr. Jarves who arrived.

Cabinet Council 24th March.
at 3 P.M.

Present Mr. Ricord — Judd — Wyllie

Calumny upon the Queen of England in the S. I. News No. 30.

Mr. Wyllie's view thereon

Mr. Wyllie, referring to the Editorial articles of Mr. Brinsmade in No. 29 & 30 of the News, but especially in the latter, where he presumes to question the good faith of the Queen of England, and to assert or insinuate that this government has received Despatches contrary to what it has as yet received, stated that in his opinion, however contemptible the writer and his coadjutors might be, the Government could not, in justice to the Queen of England and to the King of France, fail to contradict Mr. Brinsmade's published falsehoods.

Mr. Wyllie submits for Draft of his No. 1 to Consul General Miller

The draft of Mr. Wyllie's letter No. 1 to Consul General Miller was approved of and ordered to be published with his reply.

Mr. Richards was out of the way, and therefore nothing was said of the King of France till he could be seen.

(Adjourned till a reply from the Consul General should be received.)

Adjourned Cabinet Council 25th March.

Correspondence with H.B.M's Consul General, and his written explanation.

It being impossible for the Members to meet, the correspondence with H. B. M.'s Consul General, and his written memorandum or explanation of what he had said on the 22nd, were read by Mr Wyllie, separately, to each Member of the Cabinet, with an explanation of the reasons alleged by the Consul General for wishing that Mr Wyllie should not publish his letter No. 1, and Mr Wyllie's reasons for believing that it was necessary for the honor of England, & for the Consul General's own honor), as well as for the safety of the Kings' Independence, that the whole correspondence should be published.

Mr. Wyllie's view that the correspondence should be published.

Publication approved of.

It was approved that Mr. Wyllie should add notes briefly explaining the above, & address the whole to the Director of the Kings' Press, to be published forthwith in the Polynesian.

Mr. Richards received the Journals of his Mission to Europe, with the view of vindicating the Government of France from the charges made by Mr. Brimmade.

Cabinet Council 26th March.

Present – Mr. Indd – Mr Richards
" Sheriff – – Wylie.

Mr Indd's account of his proceeings with Mr Pinckyck & Mr Campbell & Mr Jeffery

Mr Hopkins Mr & Mr Brimmade wicked Policy

(Mr. Indd explained his preliminary conversation about S. I. News and Brimmade, that he had not compled to say, Mr. Brimmade was a Villain, in league with H. B. M's Consul General to induce Great Britain to seize the Islands.

Mr. Wylie remarked that he thought Mr Indd was wrong there – that doubtless Mr. Brimmade was very intimate with the Consul General, but so were Hooper and every one known to be opposed to the Government – that the Consul General knew well that the British Government would not seize the Islands – but that Mr. Brimmade wished to create a belief, that Great Britain would seize them, so as to give a plea to the United States to make the seizure – that in Mr. Wylie's opinion, Mr. Brimmade, rather than lose his revenge, would invite the Turks to seize the Islands, and under the influence of spite, the Consul General in his conversations with parties here, played into the hands of Brimmade.

Mr Indd persists in his views

Mr Indd was of a different opinion, because in his belief, the United States could not be induced to seize the Islands, but he thought England might, and he said Mr. Pin Eyck

seemed to be of that same way of thinking.

Mr. Wyllie said, - after the Queen's ratification it could not be entertained for a moment.

Mr. Indd stated that he had not as yet come to any agreement with Mr. Ten Eyck, & had asked for the memorandum shown to him for the information of the Cabinet.

Mr. Indd desire to account to the Cabinet

Mr. Ricord was of opinion that Mr. Indd would achieve nothing with Mr. Ten Eyck - that he had no mind of his own, but was wholly under the influence of Brunemade & Hooper, & that he knew from his own experience that he could not keep private faith.

Mr. Ricord opinion on the influence of Brunemade & Hooper on Mr. Indd, & that the latter could not keep faith

Mr. Indd asks for proofs, & Mr. Wyllie deprecates any such charge without proper inquiry

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Mr. Indd stated that he had not as yet come to any agreement with Mr. Ten Eyck, & had asked for the memorandum shown to him for the information of the Cabinet.

Mr. Wyllie said he very much doubted that Mr. Ten Eyck had done any such thing, & he wished that Mr. Indd should speak with Dudoit upon the subject.

Mr. Wyllie states Ten Eyck's belief that it was Ricord who had broken faith

Mr. Wyllie said he knew that in the case to which Mr. Ricord referred, Mr. Ten Eyck was of opinion that Mr. Ricord was the one that had not kept faith. Mr. Wyllie would engage that Mr. Ten Eyck would not break faith in any matter whatever committed to him under a clear understanding at the time that it was of a private character. Mr. Wyllie added that as the negotiation with Mr. Ten Eyck

was still pending), that in his opinion nothing could be done till after further results to be reported by Mr. Ludd. Mr. Record said he wanted to put some questions. Mr. Wyllie left, requesting Mr. Ludd to take minutes of what further might be done.

Mr. Record's questions.

Question. What land and privilege can be given to company?
Answer. – Old Leases, not less than 500 acres new lease, besides, including the Marsh at Paa, also pasture for cattle, maximum 500 head. Storehouse at Stonokape.
Question. – Will the government place itself on a parity with the Creditors – i.e. pay L & Co's debts at 4 per Ct., or take 4 per Cent?
Answer. Question to be considered. Implements and machinery to be allowed duty free to the value of £8000 & £4000. (signed) G. F. J. –

☞ On the 27th the above minutes were brought in to Mr. Wyllie, by Mr. Record. –

Cabinet Council at Mr. Ricord's Chambers.
Monday 29th March at 12 hour.
Present – Mr. Judd. Mr. Richards.
" Ricord. " Mylle.

Mr. Judd's further Report. – Mr. Judd repeated his reasons for believing firmly that Mr. Van Eyck had not broken faith, but was proceeding in the most honorable manner, & that he had full power to act in this matter from the parties at his own discretion.

Mr. Ricord moved that the ~~power of~~ matter be recommitted to the hands of Mr. Judd.

* Mr. Judd said that he proposed seeing Mr. Van Eyck at his house this evening.

Mr. Mylle's view of Mr. Van Eyck's honor

Mr. Mylle fully concurred in all that had fallen from Mr. Judd, in relation to Mr. Van Eyck's perfect honor – he had never doubted it in any case – and urged that Mr. Judd should see him at his earliest convenience, and be frank with him, without any hesitation or suspicion, that he would make known to others what was intended for himself alone.

* adding if Mr. Van Eyck is not to the Valley. –

1847.

Cabinet Council at the F.O 2nd April at 9½ a.m.

Present Mr Ricord — Mr Richards
Mr Judd — Mr Wylie

Mr Judd's 3rd Report of his Conference with Mr Van Cyck.

Mr. Judd reported that he had had about two hours conversation with Mr. Van Cyck, that he had told him that the question was what the Government would do for the creditors of Ladd & Co. — that as for Ladd & Co. they every day showed that they deserved less and less of the Government — that the Creditors could not expect the Government to pay the whole of Ladd & Co's debts, but were willing to grant facilities to the creditors to pay themselves — that he (Mr. Judd) could buy Ladd & Co's debts for 25 Cents.

Mr. Ricord observed that if he remembered right, Mr. Shillaber & others had sold their claims for 15 cents on the dollar.

Mr. Judd's opposition to Van Cyck's Bond Project, unless Mr Wylie undertakes it

Mr. Judd said he explained clearly to Mr. Van Cyck, that he would oppose the Government-Bond-Project, unless Mr. Wylie undertake the matter on his own account.

Mr Wylie asks papers to consider what he could do.

Mr. Wylie explained what he had before offered to do, under Mr. Williams' project, but that having been declined, the offer did not extend to any other, nor even that same project if it should be refused, but that if Mr. Ricord would pass him all the papers

he would consider what he could do.

Mr Judd said that Mr Ten Eyck had signified that perhaps 60 per Cent upon the amount might be rendered acceptable.

Mr Record explained a conversation he had had with William Ladd yesterday afternoon, and read a Protest that he had made for him.

Mr Record & Ladd & Co. Protest.

We produced the Sandwich Island News, and asked if Mr Brinsmade should not be at once committed, for his published slanders on the Judges.

S.I. News.

Records advice to commit Mr Brinsmade

It was thought that the Attorney General and the two judges might confer together upon what related to them, but that they should take no decisive steps, without making the Government previously cognizant of it.

We & Judges to confer on the subject but not to act without informing the government

Mr Record stated his conviction that Mr Ten Eyck was the writer of that part of Brinsmades' letter that went into the Law of the Case.

Record states his belief of Ten Eyck being the author of so much as refers to law points

Mr Wyllie thought it was premature to make that charge against Mr Ten Eyck until after Mr Record had ascertained, that Mr S. B. de Freines was not the Author - that in his opinion all the statements in the News were excessively weak - that they admitted they owed the money, but complained of slight matters of form as a reason why they should keep the money to themselves - and that in regard to what

Mr Wyllie contends that Mr Ten Eyck should not be charged

S. B. de Freines might be the author

Mr Wyllies view of the weakness of the letter

they had asserted in their No. 30, they very submissively took the lie to themselves, yet still endeavouring to make it appear that the Consul General thought as they did.

Mr. Wyllie made use of H. B. M's Consul Gen.

Mr. Wyllie stated that were he a creditor of Ladd & Co, he would instantly call a meeting of all the Creditors, oblige Ladd & Co to produce their books, and put an end to their squandering away the money of the Creditors on vain and vexatious suits, in the manner shown in the News No. 31. –

Mr. Wyllie gives up the duty of Creditors to compel the production of Ladd & Co's Books